

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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|-------------------------------|---|---------------|
| UNITED STATES OF AMERICA |) | |
| ex rel. ARTURO SIMON #R44685, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | No. 11 C 6795 |
| |) | |
| DAVE REDNOUR, |) | |
| |) | |
| Respondent. |) | |

MEMORANDUM ORDER

Pro se federal habeas petitioner Arturo Simon ("Simon") has mailed in a motion for extension of time, which was received in the Clerk's Office on November 28 but did not come to this Court's attention until December 2, when it updated its periodic listing of motions pending in all cases assigned to its calendar.¹ But this Court had already, on November 15, issued its statement as to why no certificate of appealability should be issued (Simon's motion carries a November 21 date of mailing, so he obviously had not received a copy of this Court's statement before he filed).

Under those circumstances, Simon's motion for an extension of time is moot so far as this Court is concerned. But this Court's November 15 statement concluded by saying that "Simon is of course free to tender the same motion to the Court of Appeals," so this Court is contemporaneously transmitting copies

¹ Simon had not, as LR 5.2(f) requires, provided an extra copy to serve as the judge's copy.

of this memorandum order and of Simon's current motion to that court for its consideration.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style with a large initial 'M'.

Milton I. Shadur
Senior United States District Judge

Date: December 6, 2011